

Message Text

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ORIGIN ERDA-07

INFO OCT-01 EA-07 IO-13 ISO-00 OES-06 FEA-01 ACDA-07

CIAE-00 INR-07 L-03 NSAE-00 NSC-05 EB-07 NRC-05

DODE-00 /069 R

DRAFTED BY USERDA:AIA:ETMCFADDEN:GLS

APPROVED BY OES/NET:DHOYLE

USERDA:AIA:GFHELFRICH

EA/K - MR. MISCH

IO/SCT:LCAVANAUGH

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R 231344Z SEP 76

FM SECSTATE WASHDC

TO USMISSION IAEA VIENNA

AMEMBASSY SEOUL

C O N F I D E N T I A L STATE 235767

E.O. 11652: GDS

TAGS: IAEA, TECH, PARM, KS

SUBJECT: IAEA-U.S.-ROK SUSPENSION PROTOCOL

REF: IAEA VIENNA 873

1. KOREAN RESPONSE MAY CONCEIVABLY BE RELATED TO FACT THAT THE PROPOSED ADDITION HAS NOT BEEN CONTAINED IN PREVIOUS PROTOCOLS SUSPENDING TRILATERAL SAFEGUARDS TRANSFER AGREEMENTS (STA'S). KOREANS MAY BE AWARE OF THIS AND NOT WISH TO ACCEPT PERCEIVED DISCRIMINATION. DEPARTMENT HOPES THEIR RELUCTANCE TO ACCEPT REQUIRED ADDITION CAN BE DISSIPATED BY DISCUSSION OF U.S. POLICY IN THIS CONNECTION.

2. AS ROK EMBASSY VIENNA WOULD HAVE TO REFER TO SEOUL IN ANY CASE, BELIEVE IT IS PREFERABLE NOW FOR MATTER TO
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BE PURSUED IN SEOUL. ACCORDINGLY, EMBASSY IS REQUESTED

TO DISCUSS WITH APPROPRIATE OFFICIALS AT EARLIEST CON-
VENIENCE, MAKING POINTS SET FORTH IN FOLLOWING PARAS. 3
AND 4, AND ADVISE DEPARTMENT (INFO U.S. MISSION TO IAEA)
REGARDING SUBSTANCE AND OUTCOME OF DISCUSSION.

3. SINCE THE TECHNOLOGY INVOLVED IN DEVELOPMENT OF
NUCLEAR WEAPONS IS INDISTINGUISHABLE FROM THE TECHNOLOGY
INVOLVED IN DEVELOPMENT OF ANY NUCLEAR EXPLOSIVE DEVICE,
THE USES PRECLUDED BY ARTICLE X PARA. 2 OF U.S.-KOREA
AGREEMENT FOR COOPERATION (AND BY CORRESPONDING PRO-
VISIONS IN OTHER U.S. AGREEMENTS FOR COOPERATION)
NATURALLY INCLUDE THE USE, FOR ANY NUCLEAR EXPLOSIVE
DEVICE, OF MATERIALS/EQUIPMENT SUPPLIED UNDER THE
AGREEMENT AND ANY SPECIAL NUCLEAR MATERIAL PRODUCED
AS A RESULT OF THE USE OF SUCH SUPPLIED MATERIALS/
EQUIPMENT. SIMILARLY, THE STANDARD UNDERTAKING IN IAEA
PROJECT AGREEMENTS AND STA'S, THAT MATERIALS/EQUIPMENT
SUBJECT TO THESE AGREEMENTS WILL NOT BE USED IN SUCH A
WAY AS TO FURTHER ANY MILITARY PURPOSE, PRECLUDES USE
FOR ANY NUCLEAR EXPLOSIVE DEVICE. THIS WAS EMPHASIZED
BY IAEA DIRECTOR GENERAL AT FEBRUARY 1975 MEETING OF IAEA
BOARD OF GOVERNORS WHEN HE STATED THAT ,AN INVARIABLE
AND CARDINAL OBLIGATION INVOLVED IN THAT UNDERTAKING WAS
THAT THE NUCLEAR MATERIALS SHOULD ALSO NOT BE USED FOR
THE DEVELOPMENT, MANUFACTURE, OR TESTING OF NUCLEAR
EXPLOSIVE DEVICES OF ANY KIND.,

4. WHILE THIS UNDERSTANDING IS INHERENT IN ALL U.S.
CIVIL AGREEMENTS FOR COOPERATION AND TRILATERAL IAEA
SAFEGUARDS AGREEMENTS,RECENTLY THERE HAS BEEN A TREND

TO HAVING IT STATED EXPLICITLY. HEIGHTENED CONCERNS,
EXPRESSED IN U.S. CONGRESS AND IN GOVERNMENT AGENCIES,
MEDIA, AND PUBLIC-INTEREST ORGANIZATIONS NOT ONLY IN
U.S. BUT ALSO OTHER COUNTRIES, ABOUT THE POSSIBLE
DANGER OF NUCLEAR WEAPONS PROLIFERATION AS A RESULT
OF INTERNATIONAL COOPERATION IN PEACEFUL NUCLEAR
APPLICATIONS HAVE UNDERSCORED THE DESIRABILITY OF
EXPRESS ASSURANCES THAT MATERIALS/EQUIPMENT SUPPLIED
FOR PEACEFUL PURPOSES WILL NOT BE USED FOR NUCLEAR
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EXPLOSIVES OR NUCLEAR EXPLOSIVES DEVELOPMENT.
CONSEQUENTLY, THE U.S. HAS ADOPTED THE POLICY OF REQUIRING
AN EXPLICIT STATEMENT OF THIS UNDERSTANDING, WITH RESPECT
TO ANY NEW AGREEMENTS FOR COOPERATION OR STA'S, AMENDMENTS
TO AGREEMENTS, OR PROTOCOLS SUSPENDING STA'S. U.S. TRUSTS
THAT ROK WILL RECOG,IZE NEED FOR THIS STEP AS ONE MEANS OF
HELPING ALLAY WIDESPREAD CONCERNS BEING VOICED IN U.S. AND
ELSEWHERE OVER INTERNATIONAL NUCLEAR TRANSFERS, AND WILL

ACCEPT ADDITION SO THAT U.S., KOREA AND IAEA CAN PROCEED
WITH SUSPENSION OF TRILATERAL AGREEMENT.

5. MISSION REQUESTED ADVISE IAEA OF U.S. POLICY STATED
PARA. 4. AT ITS DISCRETION, MISSION MAY ALSO ADVISE
ROK REPS IN VIENNA ALONG LINES OF PARAS. 3 AND 4 ABOVE
AND INFORM THEM THAT U.S. EMBASSY SEOUL IS TO DISCUSS
THIS MATTER WITH APPROPRIATE ROK GOVERNMENT OFFICIALS. ROBINSON

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENTS, NUCLEAR SAFEGUARDS, NUCLEAR FUELS
Control Number: n/a
Copy: SINGLE
Draft Date: 23 SEP 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: KelleyW0
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE235767
Document Source: CORE
Document Unique ID: 00
Drafter: AIA:ETMCFADDEN:GLS
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760360-0719
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760927/aaaaawtb.tel
Line Count: 124
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN ERDA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 76 IAEA VIENNA 873
Review Action: RELEASED, APPROVED
Review Authority: KelleyW0
Review Comment: n/a
Review Content Flags:
Review Date: 12 NOV 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <12 NOV 2003 by GarlanWA>; APPROVED <10 AUG 2004 by KelleyW0>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: IAEA-U.S.-ROK SUSPENSION PROTOCOL
TAGS: TECH, PARM, KS, US, IAEA
To: IAEA VIENNA SEOUL
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006